

Remarks

Applicant has reviewed the Office Action dated as mailed August 3, 2007 and the documents cited therewith. After the above amendments have been made, the present application contains claims 1-3, 6-15, 18-25, 27-29, 31-38, 40-44. Claims 1-3, 6-10, 18, 19, 23, 25, 27, 28, 31, 35, and 40 have been amended. Claims 4, 5, 16, 17, 26, 30, and 39 have been canceled.

Claim Rejections under 35 U.S.C. §102

Claims 1-5, 10-17, 23-31, and 35-40 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 7,032,022 issued to Shanumgam et al. (hereinafter Shanumgam). This rejection is respectfully traversed. Turning initially to the rejection of claim 1 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, claim 1 has been amended to recite:

“determining if a policy template is present at an enforcement point in response to receiving an identification (ID) assigned to the policy template at the enforcement point;

transmitting a query from the enforcement point to a repository, where policy templates are stored, in response to the policy template not being present at the enforcement point, wherein the query includes the ID assigned to the policy template;

receiving the policy template at the enforcement point, wherein the policy template is transmitted by the repository in response to the query;”

Applicant respectfully submits that there is no teaching or suggestion in Shanumgam of these features of the embodiment of the present invention as recited in independent claim 1. Shanumgam in column 4 beginning at line 38 recites:

“Respective portions of the policy server database 130 are copied to the policy enforcer databases 132, 134 for allowing the policy enforcers to manage the network policies and services for the local networks 102, 104.”

Accordingly, Shanumgam teaches that respective portions of the policy are copied to the policy enforcement databases for policy enforcement. There is no need for Shanumgam to determine if a policy template is present at an enforcement point because Shanumgam teaches that the policies are copied to the policy enforcers. Thus, Shanumgam also does not teach or suggest determining

if a policy template is present at an enforcement point in response to receiving an identification (ID) assigned to the policy template at the enforcement point, as provided by the embodiment of the present invention as recited in independent claim 1.

Additionally, Shanumgam in column 13, lines 24-30 recites:

“After the creation of the membership tables, any changes in the routing information is detected and notified to the member policy enforcers using a publish/subscribe process. The actual changes are retrieved by a policy enforcer by querying the LDAP database on the particular network that corresponds to the changed routing information.”

And Shanumgam in column 12, lines 11-16 recites:

“These networks then become the VPN's members, and the policy enforcers 124, 126 on either side of the VPN create membership tables using the learned routes. The membership information is preferably exchanged between the policy enforcers 124, 126 through the LDAP databases 132, 134.”

Accordingly, members correspond to networks that are members of a virtual private network (VPN) and the membership tables relate to learned routes or routing information associated with the networks. Querying the LDAP database in Shanumgam relates to retrieve changes to routing information associated with the networks or members of the VPN. Applicant respectfully submits that there is no teaching or suggestion in Shanumgam of transmitting a query from the enforcement point to a repository, where policy templates are stored, in response to the policy template not being present at the enforcement point, wherein the query includes the ID assigned to the policy template, as provided by the embodiment of the present invention as recited in independent claim1.

Further, Applicant respectfully submits that there is no teaching or suggestion in Shanumgam of receiving the policy template at the enforcement point, wherein the policy template is transmitted by the repository in response to the query, as provided by the embodiment of the present invention recited in independent claim 1.

For all of the reasons discussed above, Applicant respectfully submits that independent claim 1, as amended, is patentably distinguishable over Shanumgam, and reconsideration and withdrawal of the 35 U.S.C. §102 rejection of independent claim 1 is respectfully requested.

With regard to the rejection of claims 2 and 3 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, claims 2 and 3 depend either directly or indirectly from independent claim 1, and by virtue of that dependency, contain all of the features of independent claim 1. Therefore, claims 2 and 3 are also submitted to be patentably distinguishable over Shanumgam for the same reasons as discussed with respect to independent claim 1. Therefore, reconsideration and withdrawal of the Section 102 rejection of claims 2 and 3 is respectfully solicited.

Regarding the rejection of independent claim 10 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, claim 10 has been amended to recite similar features to independent claim 1. Additionally, claim 10 has been amended to recite:

“transmitting only the assigned ID to an enforcement point for each policy to be enforced by the enforcement point, wherein only the ID is transmitted to the enforcement point rather than the policy template to substantially minimize use of data processing and communications resources;”

Applicant respectfully submits that Shanumgam does not teach or suggest that only an ID is transmitted to the enforcement point rather than the policy template to substantially minimize use of data processing and communications resources. Therefore, claim 10 is submitted to be patentably distinguishable over Shanumgam as a result of this feature and for the same reasons as discussed with respect to independent claim 1. Reconsideration and withdrawal of the 35 U.S.C. §102 rejection of claim 10 is, therefore, respectfully requested.

With respect to the rejection of claims 11-15 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, these claims recite additional features which further patentably distinguish over Shanumgam. Additionally, these claims depend either directly or indirectly from independent claim 10. Because of that dependency, claims 11-15 include all of the features of independent claim 11. Therefore, claims 11-15 are also submitted to be patentably

distinguishable over Shanumgam, and reconsideration and withdrawal of the Section 102 rejection of claims 11-15 is respectfully requested.

Turning now to the rejection of independent claim 23 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, independent claim 23 has been amended to recite:

“a repository to store each policy template and assigned ID, wherein the enforcement point determines if the policy template is present at the enforcement point in response to receiving the ID assigned to the policy template and transmits a query to the repository in response to the policy template not being present at the enforcement point.”

As previously discussed Shanumgam does not teach or suggest that the enforcement point determines if the policy template is present at the enforcement point in response to receiving the ID assigned to the policy template. Nor does Shanumgam teach or suggest that the enforcement point transmits a query to the repository in response to the policy template not being present at the enforcement point, as provided by the embodiment of the present invention as recited in amended claim 23. As previously discussed Shanumgam in column 13, lines 24-30 teaches querying the LDAP database to retrieve changes to routing information associated with networks members of the VPN. Shanumgam does not teach or suggest transmitting a query to a repository that stores policy templates and assigned IDs in response to the policy template corresponding to the received ID not being present at the enforcement point. Accordingly, independent claim 23 is submitted to be patentably distinguishable over Shanumgam, and reconsideration and withdrawal of the Section 102 rejection of independent claim 23 is respectfully requested.

Regarding the rejection of claims 24, 25, and 27, these claims recite additional features which further patentably distinguish over Shanumgam. Additionally, these claims depend either directly or indirectly from independent claim 23. Because of this dependency, claims 24, 25 and 27 include all of the features of independent claim 23. Therefore, claims 24, 25 and 27 are also submitted to be patentably distinguishable over Shanumgam, and reconsideration and withdrawal of the 35 U.S.C. §102 rejection of these claims is respectfully solicited.

Regarding the rejection of independent claim 28 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, claim 28 has been amended to recite:

“means for transmitting a query to a policy template repository in response to each policy template corresponding to any transmitted IDs not being present at the enforcement point, wherein the query includes any transmitted IDs for any policy templates not present at the enforcement point.”

As previously discussed, Shanumgam does not teach or suggest transmitting a query to a policy template repository in response to each policy template corresponding to any transmitted IDs not being present at the enforcement point. Therefore, Applicant respectfully submits that independent claim 28 is patentably distinguishable over Shanumgam, and reconsideration and withdrawal of the Section 102 rejection of independent claim 28 is respectfully requested.

With respect to the rejection of claims 29 and 31, these claims depend directly from independent claim 28, and by virtue of that dependency, contain all of the features of independent claim 28. Therefore, claims 29 and 31 are also submitted to be patentably distinguishable over Shanumgam, and reconsideration and withdrawal of the Section 102 rejection of claims 29 and 31 is respectfully solicited.

Regarding the rejection of independent claim 35 under 35 U.S.C. §102(e) as being anticipated by Shanumgam, claim 35 has been amended to recite:

“querying a policy template repository in response to each policy template corresponding to any transmitted IDs not being present at the enforcement point.”

As previously discussed, Shanumgam does not teach or suggest this feature of the embodiment of the present invention as recited in independent claim 35. Accordingly, independent claim 35 is submitted to be patentably distinct over Shanumgam. Reconsideration and withdrawal of the Section 102 rejection of independent claim 35 is respectfully solicited.

With respect to the rejection of claims 36-38 and 40, these claims depend either directly or indirectly from independent claim 35. As a result of this dependency, these claims include all of the features of independent claim 35. Therefore, claims 36-38 and 40 are submitted to be patentably distinguishable over Shanumgam, and reconsideration and withdrawal of the Section 102 rejection of claims 36-38 and 40 is respectfully solicited.

Claim Rejections under 35 U.S.C. §103

Claims 6, 18, 32 and 41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shanumgam in view of U.S. Patent 6,621,793 issued to Widegren et al. (hereinafter Widegren). Column 22, lines 41-53 of Widegren were cited for rejecting the feature of dependent claims 6, 18, 32 and 41. Column 22, lines 41-53 of Widegren recite:

“The method of claim 21, wherein one gateway support node request for policy information from the policy control function (a pull request), upon receipt of an IP bearer resource request, may be followed by few policy control function decisions and where an asynchronous notification will allow the policy control function to notify the policy enforcement point in the gateway support node whenever necessary to change earlier decisions or generate errors, and where pull requests may be used at network bearer setup and at network bearer modification and in subsequent phases the policy decisions are pushed to the gateway support node by the policy control function.”

While Widegren may teach asynchronous notification to allow a policy control function to notify a policy enforcement point whenever necessary to change earlier decisions or generate errors, the feature of claims 6, 18, 32 and 41 of applying asynchronous, out-of-band communication to transmit the query and any policy templates is not taught or suggested by Widegren. Additionally, claim 6 depends directly from independent claim 1; claim 18 depends directly from independent claim 10; claim 32 depends indirectly from independent claim 28; and claim 41 depends indirectly from independent claim 31. As a result of these dependencies, claims 6, 18, 32 and 41 include all of the features of the referenced independent claim and any intermediate claims. Applicant respectfully submits that Widegren adds nothing to the teachings of Shanumgam so as to render independent claims 1, 10, 28, and 35 unpatentable. Therefore, claims 6, 18, 32, and 41 are respectfully submitted to be patentably distinguishable over Shanumgam and Widegren, whether considered individually or combined, and reconsideration and withdrawal of the Section 103 rejection of these claims is respectfully requested.

Claims 7, 19, 20, 33, and 42 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shanumgam in view of U.S. Patent 6,510,513 issued to Danieli (hereinafter Danieli). This rejection is respectfully traversed. Column 16, lines 21-36 were cited in the Office Action for

rejecting the features of claims 7, 19, 20, 33, and 42. Danieli in column 16, lines 21-36 teaches that a data distribution unit may be a compressed file and that the client must uncompress the data. While Danieli may teach that a data file may be compressed, Applicant respectfully submits that does not specifically teach or suggest compressing a policy template before transmitting to the enforcement point as provided by dependent claim 7, 19, 20, 33 and 42. Additionally, claim 7 depends directly from independent claim 1; claims 19 and 20 depend directly from independent claim 10; claim 33 depends indirectly from independent claim 28; and claim 42 depends directly from independent claim 35. Because of these dependencies, claims 7, 19, 20, 33 and 42 include all of the features of the referenced independent claim and any intermediate claims. As previously discussed, claims 1, 10, 28 and 35 are patentably distinguishable over Shanumgam. Applicant respectfully submits Danieli adds nothing to the teachings of Shanumgam so as to render independent claims 1, 10, 28 and 35 unpatentable. Therefore, for all of these reasons, claims 7, 19, 20, 33 and 42 are submitted to be patentably distinguishable over Shanumgam and Danieli, and reconsideration and withdrawal of the Section 103 rejection of these claims is respectfully solicited.

Claims 8, 9, 21, 22, 34, 43 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shanumgam in view of U.S. Patent Publication 2003/0110192 by Valente et al. (hereinafter Valente). This rejection is respectfully traversed. XML file 602A in Figure 6 of Valente was cited in rejecting the features of claims 8, 9, 21, 22, 34, 43 and 44. Claims 8 and 9 depend directly from independent claim 1; claims 21 and 22 depend directly from independent claim 10; claim 34 depends directly from independent claim 28; and claims 43-44 depend directly from independent claim 35. Applicant respectfully submits that Valente adds nothing to the teachings of Shanumgam so as to render independent claims 1, 10, 28, and 35 unpatentable. Therefore, claims 8, 9, 21, 22, 34, 43 and 44 are also submitted to be patentably distinguishable over Shanumgam and Valente, and reconsideration and withdrawal of the Section 103 rejection of these claims is respectfully solicited.

Conclusion

For the foregoing reasons, the Applicant respectfully submits that all of the claims in the present application are in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of the claims at the earliest possible date are respectfully requested.

If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0461.

Respectfully submitted,

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